

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

FRIENDS OF THE EARTH, INC., *et al.*,

Plaintiffs,

v.

GASTON COPPER RECYCLING
CORPORATION,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

Civil No. 3:92-2574-O

PROPOSED ORDER

Upon consideration of Plaintiffs' Motion for Summary Judgment That They Have
Standing to Continue This Action, it is hereby

ORDERED, that plaintiffs' motion is granted;

ORDERED, that the following factual findings shall be entered:

- 1) CLEAN and FOE member Guy Jones uses the area at the confluence of Bull Swamp Creek and the Edisto River.
- 2) Pollutants discharged by Gaston travel on the Edisto River for at least 105 miles downstream of the confluence of Bull Swamp Creek and the Edisto River.
- 3) CLEAN and FOE member Guy Jones and FOE member William Anderson both use the area downstream of the confluence of Bull Swamp Creek and the Edisto River that is affected by Gaston's pollution.

MATTHEW J. PERRY, JR.
SENIOR UNITED STATES DISTRICT JUDGE